

REMARKS

The Office Action of February 11, 2004 presents the examination of claims 1-9. The present paper amends claims 1-3.

The sole rejection standing is a rejection of claims 1-9 under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are requested.

The Examiner asserts that the claim language is indefinite in reciting that the polymer of the invention comprises a B-type block, which is not clearly defined in the claims. In particular, the Examiner takes a position that a B-type block is defined as having a composition a), b) or c), but then several alternate definitions of a B-type block are given as B-1 through B-5.

Applicants reiterate their prior position that the Examiner is merely misunderstanding the recitations of the claims. Again, the compositions a), b) and c) describe different alternate formulations for subunits, which subunits are assembled in the various combinations B-1 through B-5 to obtain a B-type block.

Notwithstanding the inability of the Examiner to understand this language, Claim 1 is amended herein to clarify the claim language without changing the scope of the claim. Specifically, the explanations of (B-1) to (B-5) have been changed to read as follows.

"wherein:

(B-1) at least one polymer block (a) and at least one

polymer block (b) are present in combination as said one or more B polymer blocks,

(B-2) at least one polymer block (a) and at least one polymer block (c) are present in combination as said one or more B polymer blocks,

(B-3) at least one polymer block (a), at least one polymer block (b) and at least one polymer block (c) are present in combination as said one or more B polymer blocks,

(B-4) at least one polymer block (b) and at least one polymer block (c) are present in combination as said one or more B polymer blocks, or

(B-5) at least one polymer block (c) alone is present as said one or more B polymer blocks"

This amendment is supported by the entire context of the present specification. For example, the above-mentioned amendment is supported by the description at page 23, line 12 to page 25, line 3 of the present specification, which reads as follows:

As examples of block copolymers of the present invention, there can be mentioned linear block copolymers having block configurations represented by the following formulae (1), (2) and (3):

- (1) $S-(B-S)_n$,
- (2) $S-(B-S)_n-B$ and
- (3) $S-(S-B)_{n+1}$.

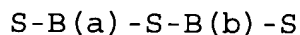
As further examples of block copolymers of the present invention, there can be mentioned radial block copolymers having block configurations represented by the

following formulae (4), (5), (6) and (7):

- (4) $((S-B)_k)_{m+2}-X,$
- (5) $((S-B)_k-S)_{m+2}-X,$
- (6) $((B-S)_k)_{m+2}-X$ and
- (7) $((B-S)_k-B)_{m+2}-X .$

In formulae (1) to (7) above, each S independently represents an S polymer block, which has a vinyl aromatic hydrocarbon monomer unit content of at least 70 % by weight.

In formulae (1) to (7) above, each B independently represents a B polymer block. When the above-mentioned one or more B polymer blocks are comprised of any one of the above-mentioned systems (B-1), (B-2), (B-3) and (B-4), the block copolymer of any of formulae (1) to (7) above has two or more different B blocks. As a specific example of block copolymers of formula (1) above, there can be mentioned a block copolymer in which the above-mentioned one or more B polymer blocks are comprised of system (B-1), and n is 2, which is a block copolymer represented by the following formula:



wherein each S independently represents an S polymer block, B(a) represents the above-mentioned polymer block (a), and B(b) represents the above-mentioned polymer block (b)" (emphasis added).

As apparent from instantly amended claim 1, (B-1) to (B-4) simply represent the combinations of B polymer blocks (selected from polymer blocks (a), (b) and (c)), and (B-5) simply represents the case where only polymer block (c) is used as the B polymer block.

It is believed that by the instant amendment and the above explanations, the definition of B polymer blocks has become clear.

From the foregoing, it is believed that the Examiner's rejection has been overcome, and the present application is now in condition for allowance.

The present application well-describes and claims patentable subject matter. The favorable action of allowance of the pending claims and passage of the application to issue is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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